

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **TOMAS MARTINEZ VAZQUEZ**
SSN xxx-xx-8177

CASE NO: **21-02050-MCF**

Debtor(s)

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **07/01/2021**

First Meeting Date: **08/11/2021 at 8:00AM**

Days From Petition Date: **78**

341 Meeting Date: **09/17/2021 at 1:00PM**

910 Days Before Petition: **01/03/2019**

Confirmation Hearing Date: **09/03/2021 at 1:30PM**

Chapter 13 Plan Date: **07/01/2021** ☐ Amended

Plan Base: **\$39,900.00** Plan Docket # **10**

This is Debtor(s) _____ Bankruptcy petition.

This is the 3rd scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$665.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☒ Telephone ☐ Video Conference

Debtor: ☐ Present ☒ Absent ☐ ID & Soc. OK

Joint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK

☐ Examined ☒ Not Examined under Oath

☐ Examined ☐ Not Examined under Oath

Attorney for Debtor(s): ☒ Not Present ☐ Present

Name of Attorney Present (Other than Attorney of Record): _____

☐ Pro-se

☒ Creditor(s) Present ☐ None

BPPR- Rivera

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **MIRIAM A MURPHY LIGHTBOURN***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$590.00** Outstanding (Through the Plan): **\$3,410.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☐ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1) (B)

Projected Disposable Income: \$ _____

Liquidation Value: \$ _____

Estimated Priority Debt: \$ _____

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00

The Trustee: ☐ NOT OBJECTS ☐ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: ____ %

§341 Meeting ☐ CONTINUED ☒ NOT HELD ☐ CLOSED

☐ HELD OPEN FOR ____ DAYS until _____ pursuant to 1308. After this date the meeting is deemed CLOSED.

§341 Meeting Rescheduled for: _____

Comments: Case called 1:10 PM , nor debtor nor attorney were present, Trustee will file a Motion to Dismiss.

***TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6)** The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor has failed to submit evidence of income made during the 6 months period prior to the filing of the case. The Trustee cannot verify adequately Means Test data without evidence of income. Debtor's commitment period cannot be determined at this time. Trustee to verify income (Schedule I and MT) once this evidence is submitted.

Debtor has failed to submit evidence to sustain the value given to the inheritance property listed in Schedule B.

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with post-petition DSO payments.

Debtor must submit evidence of being current with post petition DSO payments until the confirmation of the plan.

Also must submit name, address and telephone number of the DSO holder(s).

[1325(a)(9)] Tax Requirements – Debtor(s) fails to comply with Tax Return filing requirement of [1308].

Debtor has failed to submit evidence of having filed local tax returns for years 2017-2020.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

- Fails to disclose income.

Debtor has failed to list the Christmas bonus in the Schedule I.

***OTHER COMMENTS / OBJECTIONS**

Debtor has failed to disclose his marital status in the SOFA.

Debtor has failed to submit the evidence of income, tax returns, evidence of wet signatures,

identifications and other documents necessary for his examination.

***TRUSTEE WILL FILE A MOTION TO DISMISS:**

-For Failure to Appear

